

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

KRISTOFFER KYLE LEWIS, ET AL.

PLAINTIFFS

vs.

NO: 5:07CV00163 BSM

LARRY B. NORRIS, ET AL.

DEFENDANTS

ORDER

Pending before the court is plaintiffs' motion to vacate the order of dismissal. On June 15, 2009, pursuant to a settlement by the parties, the court entered an order of dismissal and retained jurisdiction for thirty days to "vacate the order and to reopen the action" if settlement has not been completed. Plaintiffs contend that the state agencies will not be able to give final approval to the settlement within the thirty days. Defendants state that vacating the order of dismissal is not necessary; the court can retain jurisdiction for an additional 90 days to allow time to obtain final approval of the settlement.

The court agrees that vacating the order of dismissal is not necessary as the parties only need some additional time to finalize the settlement. Therefore, the motion to vacate the order of dismissal [Doc. No. 90] is denied; however, the court will retain jurisdiction of the case for an additional ninety days to vacate the order of dismissal and reopen the action if it is satisfactorily shown that settlement has not been completed and further litigation is necessary.

IT IS SO ORDERED this 8th day of July, 2009.



UNITED STATES DISTRICT JUDGE

